

REMARKS

Summary of the Amendment

Upon entry of the above amendment, new claims 32 and 33 will have been entered for consideration by the Examiner, and claims 21 - 31, directed to the non-elected invention, will have been canceled without prejudice or disclaimer. Accordingly, claims 1 - 20, 32, and 33 are currently pending.

Summary of the Official Action

In the instant Office Action, the Examiner has made the Restriction Requirement final and withdrawn claims 21 - 31, directed to the non-elected invention, from consideration. Further, claims 1 - 20 have been rejected over the art of record. By the present amendment and remarks, Applicants submit that the rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Traversal of Rejection Under 35 U.S.C. § 102(b)

Applicants traverse the rejection of claims 1 - 20 under 35 U.S.C. § 102(b) as being anticipated by VALLIUS (U.S. Patent No. 5,690,791). The Examiner asserts that VALLIUS shows a transfer belt 17A for transferring a web from a press section to a dryer section, in which transfer belt 17A is an elastic belt with a smooth surface. The Examiner further asserts that the speed of the transfer belt is not a structural feature of the apparatus and, therefore, given no patentable weight. Applicants traverse the Examiner's assertions.

Applicants' independent claim 1 recites, *inter alia*, an *elastic transfer belt* arranged to transfer the fibrous material web between an acceptance region and a delivery region, in which said transfer belt is *driven or slowed to be stretched more during delivery* of the fibrous material web to said accepting element belt *than during acceptance* of the fibrous material web from said delivery element. Applicants submit that VALLIUS fails to disclose at least the above-noted features.

Applicants note that, while VALLIUS discloses a device for transferring a web from a press section to a dryer section, VALLIUS fails to disclose the apparatus recited in at least independent claim 1. In particular, Applicants note that Figure 4 of VALLIUS, which shows the belt loop 17A noted by the Examiner in the rejection, does not disclose that belt loop 17A is formed by an *elastic* transfer belt as recited in at least independent claim 1. Instead, VALLIUS discloses that belt loop 17A is driven such that elongation of the web due to processing in equalization-nip zone NT is compensated in run 17A' by use of a speed difference.

However, it is not apparent from this disclosure that the transfer belt of VALLIUS is elastic, or that belt loop 17A is *stretched*, as recited in at least independent claim 1. As such, Applicants submit that VALLIUS fails to disclose each and every recited feature of the instant invention.

Moreover, even assuming, *arguendo*, that one were to consider that belt loop 17A of

VALLIUS was formed by an elastic transfer belt and that the belt was stretched in run 17A' due to the speed difference (which Applicant submits one would not), VALLIUS still fails to anticipate the features of the instant invention. In particular, in order to stretch the belt in run 17A', the faster speed occurs after acceptance of the web from the delivery element, i.e., roll 21, but before delivering the web to the acceptance element, i.e., the dryer rolls. Thus, VALLIUS fails to disclose that said transfer belt is driven or slowed *to be stretched more during delivery* of the fibrous material web to said accepting element belt *than during acceptance* of the fibrous material web from said delivery element, as recited in at least independent claim 1.

While the Examiner has asserted that the speed of operation is not a structural feature of the apparatus, and, therefore, not entitled to patentable weight, Applicants submit that the Examiner cannot simply ignore structural features of the apparatus that are effected by the speed of operation. That is, by the structure and arrangement of the transfer belt within the apparatus, the speed of operation of the apparatus results in the recited stretching of the transfer belt. Moreover, Applicants submit that the recited stretched states are structural aspects of a recited element of the present invention which are entitled to patentable weight and consideration by the Examiner.

Therefore, Applicants submit that, as VALLIUS fails to disclose at least the above-noted features of the instant invention, the Examiner has failed to establish an adequate

evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(b). Thus, Applicants submit that the instant rejection is improper and should be withdrawn.

Moreover, Applicants note that VALLIUS fails to teach or suggest the recited guide rolls and/or speed differentials which are utilized to drive the elastic transfer belt so as to achieve the recited stretching, as recited in at least claims 4 - 8. In particular, VALLIUS likewise fails to disclose, *inter alia*, guide rolls arranged to control speeds of said elastic transfer belt, at least one of said guide rolls being positioned in, or subsequently to, a region of delivery of the fibrous material web by said elastic transfer belt, and at least one other guide roll positioned in, or subsequent to, a region of acceptance of the fibrous material web by said elastic transfer belt, wherein said at least one guide roll is arranged to rotate faster than said at least one other guide roll, as recited in claim 4; at least one additional roll is positioned in said region of acceptance of the fibrous material web by said elastic transfer belt has about a same speed as said at least one other guide roll, as recited in claim 5; said at least one guide roll is positioned behind, relative to a web travel direction, said region of delivery of the fibrous material web to said elastic transfer belt, as recited in claim 6; a speed of said elastic transfer belt during said acceptance of the fibrous material web by said elastic transfer belt is about 0.2% to 5.0% lower than during said delivery of the fibrous material web to said acceptance element, as recited in claim 7; and said speed of said elastic transfer belt during said acceptance of the fibrous material web by said elastic transfer belt is about

0.5% to 4.0% lower than during said delivery of the fibrous material web to said acceptance element, as recited in claim 8.

Thus, Applicants further request that the Examiner indicate that claims 4 - 8 are separately patentable over VALLIUS.

Further, Applicants submit that claims 2, 3, 9 - 20 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicants submit that VALLIUS fails to anticipate, *inter alia*, said elastic transfer belt is arranged in at least one of a region of a press section for dewatering and a drying section for drying the fibrous material web, as recited in claim 2; said fibrous material web comprises one of a paper, cardboard, and tissue web, as recited in claim 3; said elastic transfer belt is arranged to travels between a press section and a drying section, as recited in claim 9; the fibrous material web is continuously guided by at least one roll or belt in said press section, as recited in claim 10; said elastic transfer belt is arranged to at least one of accept the fibrous material web without any open draw from said delivery element and deliver the fibrous material web without any open draw to said accepting element, as recited in claim 11; said delivery element comprises one of a roll and a belt, as recited in claim 12; said delivery element comprises a press felt, as recited in claim 13; said accepting element comprises one of a roll and a belt, as recited in claim 14; said accepting element comprises one of a drying cylinder

and a suctioned roll, as recited in claim 15; said elastic transfer belt is permeable, as recited in claim 16; suction devices arranged on sides of said elastic transfer belt opposite to the fibrous material web, as recited in claim 17; said elastic transfer belt has a smooth surface, as recited in claim 18; a guide roll is arranged to guide said elastic transfer belt, and said guide roll is positioned between said delivery of the fibrous material web to said acceptance element and said acceptance of the fibrous material web from said delivery element, as recited in claim 19; and said guide roll comprises a suctioned roll, as recited in claim 20.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 1 - 20 under 35 U.S.C. § 102(b) and indicate that these claims are allowable.

Newly Submitted Claims are Allowable

Applicants submit that newly presented claim 32 is allowable over the art of record. In particular, Applicants submit that, in contrast to VALLIUS, independent claim 32 recites, *inter alia*, an *elastic transfer belt* arranged to transfer the fibrous material web between an acceptance region and a delivery region, a first guide roll arranged to drive said transfer belt in a zone of said accepting element, a second guide roll arranged to drive said transfer belt in a zone of said delivery element, in which *said first guide roll is structured and arranged to drive said transfer belt, in said zone of said accepting element, at a speed faster than a speed at which said second guide roll is structured and arranged to drive said transfer belt*

in said zone of said delivery element.

Thus, for the reasons set forth above, VALLIUS fails to disclose at least the above-noted features of the instant invention, and, therefore, fails to anticipate the invention recited in at least independent claim 32.

Further, Applicants note that VALLIUS fails to anticipate, *inter alia*, said transfer belt is structured and arranged to be stretched more in said zone of said accepting element than in said zone of said delivery element, as recited in claim 33.

Accordingly, Applicants request that the Examiner consider the merits of newly submitted claims 32 and 33 and indicate that this claim is allowable.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

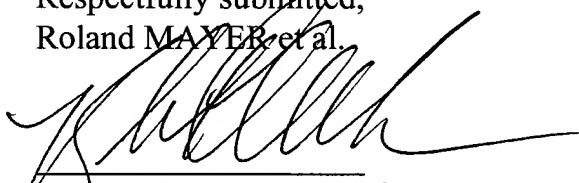
The Commissioner is authorized to charge to Deposit Account No. 19 - 0089 any necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, in order to maintain pendency of this application.

CONCLUSION

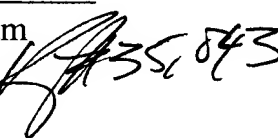
In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 1 - 20, 32, and 33. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
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